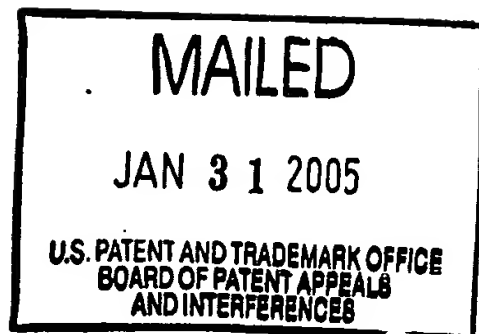


UNITED STATES PATENT AND TRADEMARK OFFICE



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte LARRY L. BRADFORD, EMANUEL PINZONI,  
BARBARA A. WILLIAMS and THEODORE HALCHAK

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Application No. 09/392,434

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ORDER RETURNING UNDOCKETED APPEAL

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This application was electronically received at the Board of Patent Appeals and Interferences on November 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

According to page 3 of the Examiner's Answer, "[t]he copy of appealed claims 2, 3, 5-8, and 10-14 contained in the Appendix to the brief is correct." While page 4 of the Answer described two inconsistencies occurring in claims 1 and 9, it is noted that the language of these claims still differs from its last amended version ("hydroxy" v. "hydroxyl"). Correction is required.

In addition, it appears that page 7 of the amendment filed November 1, 2001 is missing from the electronic record of the document.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1. for issuance of a supplemental Examiner's Answer which contains a correct copy of claims 1 and 9, or for notification to appellants to submit a new Appendix to the Appeal Brief filed June 4, 2004 which contains the corrected claims;
2. for providing a complete copy of the November 1, 2001 amendment and having it rescanned into the IFW file; and

Application 09/392,434

3. for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
DALE SHAW  
Program and Resource Administrator  
(571) 272-9797

cc: Dilworth & Barrese, LLP  
333 Earle Ovington Boulevard  
Uniondale, NY 11553

DS/psb/meh  
ra050170